

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DISTRICT

JEFFERY L. ANDERSON,

Plaintiff,

v.

JOSEPH T. HERNANDEZ, et al.,

Defendants.

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No. 1:23-CV-00201 SNLJ

MEMORANDUM AND ORDER

This matter is before the Court upon return of summons from the United States Marshal's Service relative to defendant Amy Johnson *See* ECF No.29. Service could not be effectuated on defendant Johnson at the address provided for Johnson by counsel for defendant Wes Drury. As such, plaintiff will be required to provide a new address at which to serve defendant Johnson. *See Lee v. Armontrout*, 991 F.2d 487, 489 (8th Cir. 1993) (it is plaintiff's responsibility to provide the information necessary for service on the defendants); *see also Beyer v. Pulaski Cnty. Jail*, 589 Fed. Appx. 798, 799 (8th Cir. 2014) (stating that "a plaintiff bears the burden of providing proper service information").

Plaintiff's failure to provide a new address to serve defendant Johnson, within twenty-one (21) days of the date of this Order, will result in a dismissal of Amy Johnson from this action pursuant to Federal Rule of Civil Procedure 4(m).¹

¹Rule 4(m) of the Federal Rules of Civil Procedure provides:


If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But

Accordingly,

IT IS HEREBY ORDERED that, no later than twenty-one (21) days from the date of this Order, plaintiff shall provide the Court with an address at which defendant Amy Johnson can be served.

IT IS FURTHER ORDERED that plaintiff's failure to timely provide a new address at which to serve defendant Amy Johnson will result in a dismissal of the claims against Johnson, without prejudice, pursuant to Federal Rule of Civil Procedure 4(m).

Dated this 3rd day of September, 2024.


STEPHEN N. LIMBAUGH, JR.
SENIOR UNITED STATES DISTRICT JUDGE

if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.